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**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

JANET GARCIA, *et al.*

Plaintiffs,

v.

CITY OF LOS ANGELES, a
 municipal entity,

Defendants.

CASE NO. 2:19-cv-06182-DSF-PLA

**PLAINTIFFS' EVIDENTIARY
 OBJECTIONS TO EVIDENCE
 FILED IN OPPOSITION TO
 PLAINTIFFS' MOTION FOR
 ORDER TO SHOW CAUSE RE:
 CIVIL CONTEMPT AND
 SANCTIONS**

Complaint Filed Date: July 18, 2019

Judge: Hon. Dale S. Fischer
 Hearing Date: September 21, 2020
 Time: 1:30 p.m.
 Courtroom: 7D

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PLAINTIFFS' OPPOSITION TO DEFENDANT'S EVIDENTIARY
OBJECTIONS

Plaintiffs object to the following evidence filed in support of Defendant City of Los Angeles's ("City") opposition to Plaintiffs' Motion for Order to Show Cause re: Civil Contempt and Sanctions.

Objections to Declaration of Howard Wong (Dkt. No. 94)

	Objections	Ruling
1.	<p>Material Objected to: Wong Decl. ¶ 9</p> <p>Statements made about LASAN implementing adjustments to protocols.</p> <p>Grounds for Objection: Lacks foundation that LASAN teams and LASAN members are implementing adjusted protocols. Fed. R. Evid. 602 (need for personal knowledge).</p>	<p>Sustained: _____</p> <p>Overruled: _____</p>
2.	<p>Material Objected to: Wong Decl. ¶ 10</p> <p>Offering photographs into evidence.</p> <p>Grounds for Objection: Lacks foundation that the photographs are true and accurate depictions of something Wong observed. Lacks foundation as to the date or manner by which the notices were revised. Fed. R. Evid. 602 (need for personal knowledge); Fed. R. Evid. 901 (authentication).</p>	<p>Sustained: _____</p> <p>Overruled: _____</p>

1	3.	Material Objected to: Wong Decl. ¶ 12	Sustained: _____
2		Statements made about encounters with bulky items	Overruled: _____
3		during spot cleaning.	
4		Grounds for Objection: Lacks foundation that	
5		Wong has personal knowledge about what LASAN	
6		did with bulky items or all other personal property	
7		encountered during spot cleanings. Lacks	
8		foundation as to the reasoning behind treatment of	
9		all property. Fed. R. Evid. 602 (need for personal	
10		knowledge).	
11	4.	Material Objected to: Wong Decl. ¶ 17	Sustained: _____
12		Statement that this form has not been used in other	Overruled: _____
13		comprehensive cleanups; offering photograph into	
14		evidence.	
15		Grounds for Objection: Lacks foundation as to	
16		whether it has been used since. Fed. R. Evid. 602	
17		(need for personal knowledge). Lacks foundation	
18		that the photographs are true and accurate	
19		depictions of something Wong observed. Fed. R.	
20		Evid. 901 (authentication).	
21	5.	Material Objected to: Wong Decl. ¶ 18	Sustained: _____
22		Statements made about what items were removed,	Overruled: _____
23		disposed of, and stored as part of the Beacon	
24		ABH/SECZ cleanup, and LSD's provision of	
25		enhanced services.	
26		Grounds for Objection: Relevance: statement	
27		regarding the provision of enhanced services for	
28		unhoused residents provides no information	
		regarding the City's compliance with the	
		preliminary injunction. Fed. R. Evid. 401, 403(b)	
		(relevance). Lacks foundation as to what happened	
		to all items during the Beacon ABH/SECZ cleanup.	
		Fed. R. Evid. 602 (need for personal knowledge).	

1	6.	Material Objected to: Wong Decl. ¶ 19	Sustained: _____
2		Statements made about LSD's cleanup within the	Overruled: _____
3		City's Hope ABH/SECZ, signs posted within the	
4		area, and LSD's provision of enhanced services.	
5		Grounds for Objection: Relevance: statement	
6		regarding the provision of enhanced services for	
7		unhoused residents provides no information	
8		regarding the City's compliance with the	
9		preliminary injunction. Fed. R. Evid. 401, 403(b)	
10		(relevance). Lacks foundation as to what happened	
11		during the Hope ABH/SECZ cleanup. Mr. Wong	
12		does not appear to have been present during the	
13		cleanup and provides no other information about	
14		how he would have such knowledge. Fed. R. Evid.	
15		602 (need for personal knowledge);	
16	7.	Material Objected to: Wong Decl. ¶ 20	Sustained: _____
17		Statements made about what paper notices were	Overruled: _____
18		posted, why and where; offering photograph into	
19		evidence.	
20		Grounds for Objection: Relevance: statements	
21		about what the notices were intended to convey	
22		provides no information regarding the City's	
23		compliance with the preliminary injunction. Fed. R.	
24		Evid. 401, 403(b) (relevance). Lacks foundation as	
25		to why signs were posted and when and where they	
26		were posted. Fed. R. Evid. 602 (need for personal	
27		knowledge).	
28	8.	Material Objected to: Wong Decl. ¶ 21	Sustained: _____
		Statements made about cleanup operations.	Overruled: _____
		Grounds for Objection: Lack of foundation as to	
		LSD's actions during cleanup operations. Lack of	
		foundation regarding LSD's reasoning behind	
		removal and disposal of property. Fed. R. Evid. 602	
		(need for personal knowledge)	

1	9.	Material Objected to: Wong Decl. ¶ 22	Sustained: _____
2		Statements made about LSD's suspended use of	Overruled: _____
3		paper notices and adjustments to protocols.	
4		Grounds for Objection: Lack of foundation as to	
5		LSD's actions. Fed. R. Evid. 602 (need for personal	
6		knowledge)	
7			
8			
9	10.	Material Objected to: Wong Decl. ¶ 24	Sustained: _____
10		Statements made about the blue tent reflected in the	Overruled: _____
11		video lodged with the Court; offering photograph	
12		into evidence.	
13		Grounds for Objection: Lack of foundation as to	
14		the location of the blue tent, and whether it was	
15		contaminated. Fed. R. Evid. 602 (need for personal	
16		knowledge). Lacks foundation that the photographs	
17		are true and accurate depictions of something Wong	
18		observed. Fed. R. Evid. 901 (authentication).	
19	11.	Material Objected to: Wong Decl., Exhibit C	Sustained: _____
20		The photographs attached as Exhibit C to Wong's	Overruled: _____
21		Declaration.	
22		Grounds for Objection: Lacks foundation that the	
23		photographs are true and accurate depictions of	
24		something Wong observed. Fed. R. Evid. 602 (need	
25		for personal knowledge), Fed. R. Evid 901	
26		(authentication).	
27			
28			

1	12. Material Objected to: Wong Decl., Exhibit D	Sustained: _____
2	The August 4, 2020 Health Hazard Checklist	Overruled: _____
3	attached as Exhibit D to Wong's Declaration.	
4	Grounds for Objection: Hearsay: the report	
5	contains out-of-court statements that are offered to	
6	prove the truth of the matter asserted. Lacks	
7	foundation for business records, which requires	
8	evidence that the record 1) was made at or near the	
9	time by or with information from a person with	
10	knowledge, 2) was kept in the course of a regularly	
11	conducted business activity, 3) was made as the	
12	regular practice of that activity, and 4) is shown to	
	meet these conditions by the testimony of the	
	custodian or another qualified witness, as long as 5)	
	the opponent does not show that the source of the	
	information or the circumstances of preparation	
	indicate a lack of trustworthiness. Fed. R. Evid.	
	801, 803(6) (hearsay).	

Objections to Declaration of Domingo Orosco (Dkt. No. 95)

15	Objections	Ruling
16	13. Material Objected to: Orosco Decl. ¶ 7	Sustained: _____
17	Statements made about LSD's protective measures	Overruled: _____
18	to adjust operational practices.	
19	Grounds for Objection: Lack of foundation as to	
20	LSD's implementation of adjustments. Fed. R.	
21	Evid. 602 (need for personal knowledge).	
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1	14.	Material Objected to: Orosco Decl. ¶ 8	Sustained: _____
2		Statements made about providing information and	Overruled: _____
3		reminders regarding the prohibition on the	
4		enforcement of LAMC 56.11(3)(i) or 10(d) to LSD	
5		personal.	
6		Grounds for Objection: Lack of foundation as to	
7		what and to whom information and reminders were	
8		provided and who made the statements Fed. R.	
9		Evid. 602 (need for personal knowledge).	
10	15.	Material Objected to: Orosco Decl. ¶ 22	Sustained: _____
11		Statements made about what LSD placed on pre-	Overruled: _____
12		injunction permanent ABH/SECZ signs.	
13		Grounds for Objection: Lack of foundation as to	
14		LSD's actions. Fed. R. Evid. 602 (need for personal	
15		knowledge).	
16			
17	16.	Material Objected to: Orosco Decl. ¶ 23	Sustained: _____
18		Statements made about LSD personnel placing	Overruled: _____
19		overlays over 3,000 pre-injunction ABH/SECZ	
20		permanent signs.	
21		Grounds for Objection: Lack of foundation as to	
22		what, where, when, and how many overlays were	
23		posted on the ABH/SECZ permanent signs. Fed. R.	
24		Evid. 602 (need for personal knowledge).	
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26			
27			
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1	17.	Material Objected to: Orosco Decl. ¶ 25	Sustained: _____
2		Statements made about LSD Supervisor's	Overruled: _____
3		verification and finding that 3 locations had issues	
4		with missing overlays including a missing sign.	
5		Grounds for Objection: Hearsay: LSD	
6		Supervisor's statements are out-of-court statements	
7		that are offered to prove the truth of the matter	
8		asserted. Fed. R. Evid. 801 (hearsay). Lack of	
9		foundation as to the placement of overlays and	
10		where and how many signs were missing overlays.	
11		Fed. R. Evid. 602 (need for personal knowledge).	
12	18.	Material Objected to: Orosco Decl. ¶ 26	Sustained: _____
13		Statements made about LSD'S reflection that	Overruled: _____
14		overlays were applied to to approximately 41	
15		locations at the Raymer ABH on August 11th and	
16		August 12th by the field staff assigned to apply	
17		overlays on the effective date of the Raymer ABH	
18		signage.	
19		Grounds for Objection: Hearsay: LSD's	
20		reflections are out-of-court statements that are	
21		offered to prove the truth of the matter asserted.	
22		Fed. R. Evid. 801 (hearsay). Lack of foundation as	
23		to the placement of overlays and where and how	
24		many signs were missing overlays. Fed. R. Evid.	
25		602 (need for personal knowledge)	
26	19.	Material Objected to: Orosco Decl. ¶ 27	Sustained: _____
27		Statements made about the investigation findings	Overruled: _____
28		and LSD's placement of overlays.	
		Grounds for Objection: Lack of foundation as to	
		where and how many signs were missing overlays	
		and LSD's actions. Fed. R. Evid. 602 (need for	
		personal knowledge).	

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2 Dated: September 8, 2020

Respectfully submitted,
LEGAL AID FOUNDATION OF LOS ANGELES

3
4 /s/ Shayla Myers

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